IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

Writ Petition No. 904 (S/S) of 2007

Kamla Baisora W/o Sri Bhopal Singh Baisora
Assistant Teacher, Primary School Paurn, Block Birn,
District Pithoragarh ------ Petitioner

Versus

1. State of Uttarakhand through Secretary Basic Education
2. Director, Vidyalayi Siksha – Uttaranchal at Dehradun
3. District Education Officer Almora
4. Additional District Education Officer (Basic), Almora
5. Mrs. Shasti Pandey, Assistant Teacher, Primary School Paurn, Block Birn, District Pithoragarh

------ Respondents

Hon'ble M.M. Ghildiyal, J.

Heard Sri B.S. Adhikari, learned counsel for the petitioner and Sri Paresh Tripathi, learned Brief Holder for State of Uttarakhand for the respondents.

By means of this writ petition, the petitioner has challenged the order dated 12.06.2007 passed by District Education Officer/ Additional District Education Officer (Basic), Pithoragarh transferring the petitioner, who was working as Assistant Teacher in Primary School Paurn, Block Birn, District Pithoragarh to Primary School, Salkot, Block Birn, District Pithoragarh.

The petitioner has challenged the impugned order on various grounds such as she has already worked during her tenure of service for about 26 years in *Durgam* and *Ati Durgam* area and again she is being transferred to a *Durgam area.*

The second ground of the petitioner is that respondent no. 5, Mrs. Shasti Pandey is staying in the present school at Paurn for about 22 years. Learned counsel for the petitioner has stated that she was transferred in the year 2004, however, she has not complied the order and managed to remain at Paurn and, thus, the petitioner, who is working in the Primary School, Paurn for about 10 years, has been transferred and respondent no. 5 working in the Primary School, Paurn for more than 22 years, has not been transferred, which is a case of discrimination.

Learned counsel for the petitioner has submitted that raising all her grievances, petitioner has already moved a representation before District Education Officer, Pithoragarh on 20th June, 2007.

In the circumstances, District Education Officer Pithoragarh is directed to take decision on the representation of the petitioner dated 20th June, 2007 by a speaking order on the points raised in the representation of the petitioner within a period of three weeks from the date of production of a certified copy of this order.

With this direction, the writ petition is finally disposed of. All the pending applications stand disposed of.

(M.M. Ghildiyal, J.)

17.07.2007
VKS